

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE FAX RECEIVED

AUG 17 2006

OFFICE OF PETITIONS

In re Application of:
William J. WELSH *et al.*

Serial No.: 10/665,377

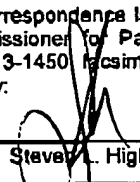
Filed: September 18, 2003

For: OPLATE ANALOGS SELECTIVE FOR
THE δ - OPIOID RECEPTOR

Group Art Unit: 1625

Examiner: D.M. Seaman

Atty. Dkt. No.: UVMO:021US

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being faxed to: Mail Stop Petition; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 facsimile number (571) 273-0025 on the date below:	
August 17, 2006 Date	 Steven L. Highlander

PETITION UNDER 37 C.F.R. § 1.313(c)(2)**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

This is a petition to withdraw U.S. Serial No. 10/665,377 from issue under 37 C.F.R. § 1.313(c)(2) in consideration of a request for continued examination in compliance with 37 C.F.R. § 1.114. This petition is necessitated because a supplemental European Search Report for the EP counterpart of this case identified Gao, Peng et al., *J. Med. Chem.* 1998, 41, 3091-3098 as an allegedly anticipatory reference. This reference is contained in the IDS which is

attached to this petition.

08/21/2006 CKHLDK 00000001 501212 10665377

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Attached as Appendixes A-E are:

Appendix A: Supplemental Information Disclosure Statement

Appendix B: PTO Form 1449

Appendix C: Supplementary European Search Report


Appendix D: Gao, Peng et al., *J. Med. Chem.* 1998, 41, 3091-3098

Appendix E: Request for Continued Examination

The fee for the petition as set forth in § 1.17(h) is \$130. The Commissioner is hereby authorized to charge this fee and any fees which are believed to be due in connection with this filing under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski Deposit Account No.: 50-1212/UVMO:021US/SLH.

Should the examiner have any questions regarding this petition, a telephone call to the undersigned is invited.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: August 17, 2006

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FULBRIGHT & JAWORSKI L.L.P.

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OFFICE OF PETITIONS

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PTO/SB/21 (09-04) MODIFIED

TRANSMITTAL FORM	Application Number:	10/665,377	FAX RECEIVED AUG 17 2006 OFFICE OF PETITIONS
	Filing Date:	September 18, 2003	
	First Named Inventor:	William J. Welsh	
	Art Unit:	1625	
	Examiner Name:	D.M. Seaman	
Total Number of Pages in this Submission : 23		Attorney Docket Number: UVMO:021US	

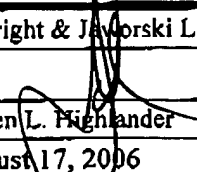
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Remarks:

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UVMO:021US/MHV

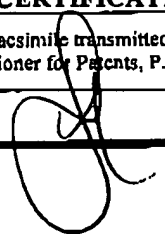
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski L.L.P.	Customer Number	32425
Signature			
Printed Name	Steven L. Highlander	Reg. No.	37,642
Date	August 17, 2006		

CERTIFICATE OF TRANSMISSION/MAILING

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APPENDIX A